

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

FRED CHISOM,

Plaintiff,

v.

CLALLAM BAY CORRECTION  
CENTER SUPERINTENDENT,

Defendant.

Case No. C04-5590FDB

ORDER ADOPTING  
REPORT AND  
RECOMMENDATION

The Magistrate Judge issued a Report and Recommendation that this matter be dismissed as it is a repetitive filing, harassing in nature, the Eastern District of Washington has already ruled on the claim, and this filing unnecessarily increases the costs of litigation. Plaintiff filed objections that contain nothing but a reassertion of his claim.

The Court, having reviewed the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the Report and Recommendation, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) This court will not entertain plaintiff's motion for injunctive relief because the issue has been placed before the United States District Court for the Eastern District of Washington and was dismissed for failure to state a claim.
- (3) Plaintiff is warned that future filings which violate Fed. R. Civ. P 11 may result in sanctions as outlined in the Report and Recommendation. This filing was repetitive and harassing.
- (4) The Clerk is directed to send copies of this Order to plaintiff, and to the Hon. J. Kelley Arnold.

DATED this 9<sup>th</sup> day of January 2006.

  
FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE